

REMARKS

This Amendment is being provided in response to the outstanding Office Action for this case dated May 24, 2000. In this response, Applicant has cancelled claims 83-163 and added new claims 164-186 in order to more particularly point out and distinctly claim that which Applicant deems to be the invention. Applicant respectfully submits that the new claims provided herein are supported by the originally filed specification.

With respect to the rejection of claims 83-163 under the judicially created doctrine of double patenting over claims of copending application 08/729,619, Applicant notes that the copending application issued on August 1, 2000 as U.S. Patent No. 6,097,811 (the '811 patent). Applicant will submit an appropriate terminal disclaimer to overcome this rejection once other issues in the prosecution of this application have been sufficiently addressed.

With respect to the provisional rejection under the judicially created doctrine of obviousness-double patenting over claims 39, 40, 42-47 of copending application number 09/028,535, Applicant notes that this application has been abandoned. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

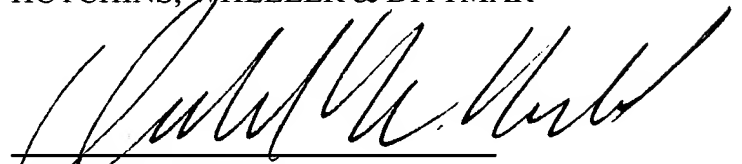
The rejection of claims 83-163 under 35 U.S.C. 103(a) as being unpatentable over Brands (U.S. Patent No. 5,606,617), Merkle (U.S. Patent No. 4,309,569) and Perlman, et al. (U.S. Patent No. 5,687,235) and page 2, line 14 through page 4, line 2 of the present application is hereby traversed and reconsideration thereof is respectfully requested.

In the first place, Applicant notes that claims 83-163 have been cancelled and that new claims 164-186 have been added herein. Applicant further notes that new claims 164-168 correspond to claims 21-25, respectively, of the '811 patent, new claims 169-173 correspond to claims 25-31, respectively, of the '811 patent, and that new claims 174-184 correspond to claims 33-43, respectively, of the '811 patent. Applicant further notes that new claims 185 and 186 provided in this response are dependent claims that find support in the present specification at page 6, lines 10-12.

Applicant further notes that the prior art of Brands, Merkle and Perlman, et al. were all at one time cited as prior art against claims of the application that matured into the '811 patent and all of these rejections were eventually overcome following Applicant's filing of an Appeal Brief in that case. Applicant respectfully submits that new claims 164-186 are patentable for reasons similar to the reasons why the claims in issued U.S. Patent No. 6,097,811 are patentable. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Based on the above Amendment and Remarks, Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-951-6676.

Respectfully submitted,
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